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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

JUL 1 1 2002

Case No.

RICHARD W. WIEKING CLERK, U.B. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE

STANDING ORDER REGARDING

CASE MANAGEMENT IN CIVIL CASES

This order sets forth requirements for initial case management in all civil matters assigned to District Judges James Ware, Ronald M. Whyte and Jeremy Fogel, and Magistrate Judges Patricia V. Trumbull, Richard Seeborg, and Howard R. Lloyd. All papers filed must include the case number of the action followed by the initials of the assigned district judge or magistrate judge and, if applicable, the initials of the magistrate judge to whom the action is referred for discovery or other pretrial activity.

Plaintiff shall serve a copy of this Standing Order on all parties to this action and on all parties subsequently joined, in accordance with Fed.R.Civ.P. 4 and 5. Following service, plaintiff shall file a certificate of service in accordance with Civil L.R. 5-6(a).

All disclosure or discovery disputes in cases assigned to district judges are referred to the assigned magistrate judge for determination pursuant to Fed.R.Civ.P. 72(a). Magistrate judges themselves handle disclosure and discovery disputes in the cases assigned to them.

Before selecting a hearing date for a motion before any of the judges of the San Jose Division, counsel must confer with opposing counsel to determine that the proposed hearing date will not cause undue prejudice.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Ware may be noticed for hearing on any Monday at 9:00 a.m.

Civil motions under Civil L.R. 7-2 in cases assigned to Judge Whyte may be noticed for hearing on any Friday at 9:00 a.m.

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Civil motions under Civil L.R. 7-2 in cases assigned to Judge Fogel may be noticed for hearing only 1 after contacting Judge Fogel's judicial secretary, Teresa Fleishman, at 408-535-5426 and obtaining an available 2 3 date. Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Trumbull may be noticed for 4 hearing on any Tuesday at 10:00 a.m. 5 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Seeborg may be noticed for 6 hearing on any Wednesday at 9:30 a.m. 7 Civil motions under Civil L.R. 7-2 in cases assigned to Magistrate Judge Lloyd may be noticed for 8 9 hearing on any Tuesday at 10:00 a.m. Pursuant to Fed.R.Civ.P. 16 and 26 and Civil L.R. 16-10(a), a Case Management Conference will be 10 _____, at the United States Courthouse, 280 _ at ___ 11 South First Street, San Jose, California. This conference may be continued only by court order pursuant to Civil 12 L.R. 16-2(e). Parties may not stipulate to continue a Case Management Conference without court approval. 13 Pursuant to Civil L.R. 16-3, in advance of the Case Management Conference, counsel shall confer with 14 their respective clients and opposing counsel for the purposes specified in Fed.R.Civ.P. 26(f), Civil L.R. 16-8 15 and 16-9, and in patent cases, Patent L.R. 3.1 through 3.6. A meaningful meet and confer process prior to the 16 Case Management Conference and good faith compliance with the requirements of this Order are essential 17 elements of effective case management. Failure to meet and confer, to be prepared for the Case Management 18 Conference or to file a Joint Case Management Conference Statement may result in sanctions. Parties may, but 19 are not required, to attend the Case Management Conference. 20 In all "E-filing" cases when filing papers in connection with any motion for determination by a judge, 21 the parties shall, in addition to filing papers electronically, lodge with chambers a printed copy of the papers by 22 the close of the next court day following the day the papers are filed electronically. These printed copies shall be 23 marked "Chambers Copy" and shall be submitted to the Clerk's Office, in an envelope clearly marked with the 24 judge's name, case number and "E-filing Chambers Copy." Parties shall not file a paper copy of any document 25 with the Clerk's Office that has already been filed electronically. 26 IT IS SO ORDERED. 27

Dated: Effective on the date this order is filed, until further court order.

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United States District Judge

Runard M. asyle Ronald M. Whyte United States District Judge

Jeremy Fogel United States District Judge

Patricia V. Trumbull

United States Chief Magistrate Judge

Richard Sectors United States Magistrate Judge

Howard R. Lloyd United States Magistrate Judge